

INSTRUMENT PREPARED BY VIRGINIA GAS AND OIL BOARD

ORDER RECORDED UNDER CODE OF VIRGINIA SECTION 45.1-361.26

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

SUPPLEMENTAL ORDER REGARDING

DOCKET NO. VGOB-05/12/13-1555

ELECTIONS, UNIT: HRVAE #14

(hereinafter "Subject Drilling Unit")

REPORT OF BOARD

FINDINGS AND ORDER

1. This Supplemental Order is entered by the Board sua sponte in the form authorized by the Board at its hearing held at 9:00 a.m. on October 20, 1992, Board of Supervisors Room, Courthouse, Grundy, Virginia, and pursuant to authority granted to the Board's Chairman at the hearing of the Virginia Gas and Oil Board on June 16, 1992, at 9:00 a.m. at the Rhododendron Restaurant at the Breaks Interstate Park, Breaks, Virginia; and this Supplemental Order is being recorded for the purpose of (1) complying with the requirement of the Virginia Gas and Oil Board Regulations, 4 VAC 25-160.70C by supplementing the Order previously issued by the Board for subject Docket on December 13, 2005, and recorded in Instrument # 06-0000161 at the Office of the Clerk of Circuit Court, Buchanan County, Virginia on January 12, 2006, (herein "Board Order") to complete the record regarding elections. The Board Order pooled all interest in Subject Drilling Unit including those of the Respondents more particularly set forth and identified by the Designated Operator in the affidavits attached hereto and made a part hereof. The Board finds it has jurisdiction over the subject matter pursuant to the provisions of the Virginia Gas and Oil Act, § 45.1-361.1 et seq., Virginia Code, 1950 as amended.

### 2. Findings: The Board finds that:

(a) The Board Order directed Hard Rock Exploration, Inc., (herein the Designated Operator"), to mail copies of the Board Order to all respondents whose interest, if any, were pooled by said Board Order;

(b) The designated operator filed its affidavit of mailing dated March 09, 2006, disclosing that it had mailed a correct copy of the Board's Order to all Respondents whose interest, if any, were pooled by said Board Order;

(c) The Board Order required each Respondent whose interest, if any, were pooled by the terms of said Board Order to make his or her election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the Designated Operator has filed its affidavit dated August 25, 2006, in accordance

with § 7.C of the Virginia Gas and Oil Board Regulations and 4 VAC 25-160.70C (herein "Affidavit of Election"), wherein it has, for each Respondent whose interest, if any, were pooled by said Board Order, stated: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of the election made, if any; (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interest, estates and claims in Subject Drilling Unit to the Designated Operator;

(d) The Board Order further required the Designated Operator, after expiration of the election period, to file with the Board a statement of the interests subject to escrow under the terms and provisions of the Board Order, in light of the elections made or deemed to have been made (herein "Statement of Interests"); that the Designated Operator furnished said Statement of Interests as part of its Affidavit of Election. A copy of which is attached hereto as Exhibit B;

(e) Current Board standards requiring the escrow of funds and the Board's agreement with its Escrow Agent, Wachovia Bank, Corporate Trust, PA 1328, 123 South Broad Street, Philadelphia, PA 19109-1199, (888) 396-0853, Attn: Rachel Rafferty, or any successor named by the Board, require the entry of a Supplemental Order establishing of record the elections made or deemed to have been made and specifying the sums or percentage thereof subject to escrow. Current Board escrow standards were made applicable to Subject Drilling Unit by a Board Order dated December 23, 1992.

- 3. Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2 above and the annexed Affidavits, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, Corporate Trust, PA 1328, 123 South Broad Street, Philadelphia, PA 19109-1199, (888) 396-0853, Attn: Rachel Rafferty, or any successor named by the Board to establish interest-bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in said affidavits to receive such funds and account to the Board therefore.
- 4. Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or its Attorney shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each person whose interest or claim is subject to escrow and whose address is known.
- 5. <u>Conclusion:</u> Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.
- 6. Effective Date: This Order shall be effective on the date of its execution.

| Tract    | Lessor  |   | Lease<br>Status                  | Interest<br>Within<br>Unit | Gross<br>Acreage<br><u>In Unit</u> |
|----------|---|---|----------------------------------|----------------------------|------------------------------------|
| 1        | C.L. Ritter Lumber Co.,<br>Box 700<br>Huntington, WV 25711                        |   | Leased                           | 64.41%                     | 72.58                              |
| 2        | Karen Westbrook<br>2614 Laurel Grove Rd<br>Machanicsville, VA                     |   | *Unleased                        | 3.2933%                    | 3.7155                             |
|          | Mary E. Buston Booker<br>13660 Brynwood Lane<br>Ft. Myers, FL 33912               |   | *Unleased                        | 0.8233%                    | 0.9288                             |
|          | James G. Buston II<br>1511 Tudor Lane<br>Richmond, VA 23235                       |   | *Unleased                        | 0.8233%                    | 0.9288                             |
| * Lease  | * Leased Through: CNX Gas<br>c/o John C<br>4710 Hunt<br>Richmond<br>*Oil & Ga     |   | in, Agent<br>ood Circle<br>77469 |                            |                                    |
|          | Bull Creek Coal Compa<br>Virginia Limited Partne<br>Box 187<br>Tazewell, VA 24651 |   | **Unleased                       | 2.4699%                    | 2.786                              |
| ** Lease | ed Through:   | Chesapeake Ap<br>900 Pennsylva<br>P.O. Box 6070<br>Charleston, W<br>**Oil & Gas I | nia Avenue<br>V 25362-0070       |                            |                                    |
| 3        | Carol Combs Irvin<br>4710 Hunterwood Circle<br>Richmond, TX 77469                 | e   | *Unleased                        | 0.6439%                    | 0.7256                             |
|          | Frederick Harman Comb<br>318 East Fincastle<br>Tazewell, VA 24651                 | bs II   | *Unleased                        | 0.6439%                    | 0.7256                             |

| Tract | <u>Lessor</u>  |  | Lease<br>Status                      | Interest<br>Within<br>Unit | Gross<br>Acreage<br><u>In Unit</u> |
|-------|--|--|--------------------------------------|----------------------------|------------------------------------|
| 3     | Martha Ellen Combs<br>P.O. Box 1404<br>Abingdon, VA 24212                          |  | *Unleased                            | 0.6439%                    | 0.7256                             |
|       | Mountain Mission School Hurley Street<br>Grundy, VA 24614                          | ool  | *Unleased                            | 2.898%                     | 3.2655                             |
|       | Gaynell Street Fowler,<br>of Fletcher Boyd Fowle<br>Drawer 901<br>Grundy, VA 24614 |  | Unleased                             | 2.898%                     | 3.2655                             |
|       | Knox Creek Coal Comp<br>P.O. Box 519<br>Raven, VA 24369                            | pany   | Unleased                             | 11.592%                    | 13.062                             |
| *     | Leased Through:  | CNX Gas Co<br>c/o John C. Ir<br>4710 Hunterv<br>Richmond, T.<br>*Oil & Gas I | vin, Agent<br>vood Circle<br>X 77469 |                            |                                    |
| 4     | Jeanelle I. Spurlock<br>1140 Churchmont Se<br>Canton, OH 44707                     |  | Unleased                             | 0.6326%                    | 0.7125                             |
|       | Betty J. Wade<br>16550 Buchard Street<br>Fountain Valley, CA 9                     | 2708   | Unleased                             | 0.6326%                    | 0.7125                             |
|       | Donald H. Dotson<br>1140 Churchmont SE<br>Canton, OH 44707                         |  | Unleased                             | 0.6326%                    | 0.7125                             |
|       | Mary E. Conner<br>5015 Harmont NE<br>Canton, OH 44707                              |  | Unleased                             | 0.6326%                    | 0.7125                             |
|       | David E. Ward<br>841 Hollywood NE<br>Canton, OH 44707                              |  | Unleased                             | 0.6326%                    | 0.7125                             |

| Tract                               | Lessor   | Lease<br>Status | Interest<br>Within<br>Unit                | Gross<br>Acreage<br><u>In Unit</u> |
|-------------------------------------|--|-----------------|---|------------------------------------|
| 4                                   | Jeffery S. Ward<br>5522 Battlesburg St. SE<br>Waynesburg, OH 44688             | Unleased        | 0.6326%                                   | 0.7125                             |
|                                     | Judy Gayle Fletcher Murray<br>20129 N. Golden Barrel Dr.<br>Surprise, AZ 85734 | Unleased        | 0.6326%                                   | 0.7125                             |
|                                     | Patricia S. Hogston<br>P.O. Box 427<br>Grundy, VA 24614                        | Unleased        | 1.4760%                                   | 1.662                              |
|                                     | Charliece S. Fierbaugh<br>7900 Johnson Drive<br>Box 447<br>Knoxville, TN 37998 | Unleased        | 1.4760%                                   | 1.662                              |
| RE: App<br>mber HRV<br>strict of Ba | c/o John Matney  | Unleased        | 1.4760%<br>Pooling of In<br>in the Rockli | 1.662<br>toresis in Un             |
| FIDAVIT                             | OF WILHOIT & KAISER, Attorneys-at  |                 |   |                                    |
| TOTAL GA                            | AS ESTATE THAM IS ENDER FIRST COUNTY SWOOT                                     |                 | 1000/                                     | 112.69                             |
| Percentage                          | of Unit Leased   |                 |   |                                    |

| TOTAL GAS ESTATE                                      | 100%   | 112.69         |
|---|--------|----------------|
| Percentage of Unit Leased Percentage of Unit Unleased | 64.41% |                |
| Acreage in Unit Leased Acreage in Unit Unleased       |        | 72.58<br>40.11 |

That the Order of the Virginia Gas and Oil Board in the captioned matter required a coors poled thereby to tender their written elections to the Unit Operator within therty (30) days of the date said Order was recorded in the county above named; that

said Order was recorded on January 32, 2006.

any who are adjed as Respondents at the bearing held in the captioned matter;

said Miss to be mailed via the United States Postal Service to each Respondent is med in the captioned Application, whose address was known, and to all persons, if

| TRACT | LESSOR   | CASH CONSIDERATION       |
|-------|--|--------------------------|
| 4     | Betty J. Wade<br>16550 Buchard Street<br>Fountain Valley, CA 92708                   | 0.7125 X \$5.00 = \$3.56 |
|       | Donald H. Dotson<br>1140 Churchmont SE<br>Canton, OH 44707                           | 0.7125 X \$5.00 = \$3.56 |
|       | Judy Gayle Fletcher Murray<br>20129 N. Golden Barrel Dr.<br>Surprise, AZ 85734       | 0.7125 X \$5.00 = \$3.56 |
|       | Patricia S. Hogston<br>P.O. Box 427<br>Grundy, VA 24614                              | 1.662 X \$5.00 = \$8.31  |
|       | Buchanan Gas Company LLC<br>c/o John Matney<br>2700 Lee Highway<br>Bristol, VA 24202 | 1.662 X \$5.00 = \$8.31  |

That pursuant to the provision of 4VAC 25-160.70C annexed hereto and incorporated herein is a proposed supplemental order to be entered to complete the record regarding elections; that said annexed supplemental order sets forth that the services of the Escrow Agent are not required in this matter pursuant to the terms of §§ 45.1-361.21.D.

Dated at Kingsport, Tennessee, this

day of

2006.

Affiant

Taken, subscribed and sworn to before me by James E. Kaiser, the Agent of Hard Rock Exploration Inc., a corporation, on behalf of the corporation, this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_, 2006.

My commission expires:

a: \

Notary

TENNA 9

VIRGINIA: In the Clerk's Office of the Circuit Court of Buchanan County. The foregoing instrument was this day presented in the office aforesaid and stogether with the certificate of acknowledgment annexed, admitted to record this day of day of , 20 day. M.

The tax imposed by §587.1-802 of the Code has been paid in the amount of \$\_\_\_\_\_\_.

Deed Book No. \_\_\_\_\_\_ and Page No. \_\_\_\_\_.

TESTE: James M. Bevins, Jr., Clerk

Returned to:

TESTE: Severy 5

James M. Bevins, Jr., Clerk Deputy Clerk



INSTRUMENT PREPARED BY VIRGINIA GAS AND OIL BOARD ORDER RECORDED UNDER CODE OF VIRGINIA SECTION 45.1-361.26

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

SUPPLEMENTAL ORDER REGARDING ELECTIONS, UNIT: HRVAE #14 (hereinafter "Subject Drilling Unit")

DOCKET NO. VGOB-05/12/13-1555

REPORT OF BOARD

#### FINDINGS AND ORDER

- 1. This Supplemental Order is entered by the Board sua sponte in the form authorized by the Board at its hearing held at 9:00 a.m. on October 20, 1992, Board of Supervisors Room, Courthouse, Grundy, Virginia, and pursuant to authority granted to the Board's Chairman at the hearing of the Virginia Gas and Oil Board on June 16, 1992, at 9:00 a.m. at the Rhododendron Restaurant at the Breaks Interstate Park, Breaks, Virginia; and this Supplemental Order is being recorded for the purpose of (1) complying with the requirement of the Virginia Gas and Oil Board Regulations, 4 VAC 25-160.70C by supplementing the Order previously issued by the Board for subject Docket on December 13, 2005 and recorded instrument # 06-00020161 in the Office of the Clerk of Circuit Court, Buchanan County, Virginia on January 12, 2006 (herein "Board Order") to complete the record regarding elections. The Board Order pooled all interest in Subject Drilling Unit including those of the Respondents more particularly set forth and identified by the Designated Operator in the affidavits attached hereto and made a part hereof. The Board finds it has jurisdiction over the subject matter pursuant to the provisions of the Virginia Gas and Oil Act, § 45.1-361.1 et seq., Virginia Code, 1950 as amended.
- 2. Findings: The Board finds that:

3.

- (a) The Board Order directed Hard Rock Exploration, Inc., (herein the Designated Operator"), to mail copies of the Board Order to all respondents whose interest, if any, were pooled by said Board Order;
- (b) The designated operator filed its affidavit of mailing dated March 9, 2006, disclosing that it had mailed a correct copy of the Board's Order to all Respondents whose interest, if any, were pooled by said Board Order;
- (c) The Board Order required each Respondent whose interest, if any, were pooled by the terms of said Board Order to make his or her election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the Designated Operator has filed its affidavit dated October 25, 200607, in accordance with § 7.C of the Virginia Gas and Oil Board Regulations and 4

VAC 25-160.70C (herein "Affidavit of Election"), wherein it has, for each Respondent whose interest, if any, were pooled by said Board Order, stated: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of the election made, if any; (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interest, estates and claims in Subject Drilling Unit to the Designated Operator;

- (d) The Board Order further required the Designated Operator, after expiration of the election period, to file with the Board a statement of the interests subject to escrow under the terms and provisions of the Board Order, in light of the elections made or deemed to have been made (herein "Statement of Interests"); that the Designated Operator furnished said Statement of Interests as part of its Affidavit of Election. A copy of which is attached hereto as Exhibit B;
- (e) Current Board standards requiring the escrow of funds and the Board's agreement with its Escrow Agent, Wachovia Bank, Corporate Trust, PA 1328, 123 South Broad Street, Philadelphia, PA 19109-1199, (888) 396-0853, Attn: Rachel Rafferty, or any successor named by the Board, require the entry of a Supplemental Order establishing of record the elections made or deemed to have been made and specifying the sums or percentage thereof subject to escrow. Current Board escrow standards were made applicable to Subject Drilling Unit by a Board Order dated December 23, 1992.
- 3. Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2 above and the annexed Affidavits, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, Corporate Trust, PA 1328, 123 South Broad Street, Philadelphia, PA 19109-1199, (888) 396-0853, Attn: Rachel Rafferty, or any successor named by the Board to establish interest-bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in said affidavits to receive such funds and account to the Board therefore.
- 4. Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or its Attorney shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each person whose interest or claim is subject to escrow and whose address is known.
- 5. <u>Conclusion:</u> Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.
- 6. Effective Date: This Order shall be effective on the date of its execution.

| DONE AND EXECUTED this 23 <sup>16</sup> day of 26 by a majority of the Virginia Gas and Oil Board.  |
|---|
| Chairman, Bearly R. Wampler   |
| DONE AND PERFORMED THIS 2C day of February, 2006 by Order of this Board.  |
| B. R. Wilson Principal Executive to the Staff Virginia Gas and Oil Board  |
| STATE OF VIRGINIA ) COUNTY OF (Like )   |
| Acknowledged on this 33 day of 4 february, 2006, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.           |
| Susand Hanelt<br>Notary Public  |
| My commission expires: 12-31-8010.  |
| STATE OF VIRGINIA  COUNTY OF Learnington  |
| Acknowledged on this 26 day of flying , 2006, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Principal Executive to the Staff Virginia Gas and Oil Board, that he executed the same and was authorized to do so. |
| Diane J. Davis Notary Public  |
| My commission expires: 9-30-09  |

#### VIRGINIA:

#### BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE: Application of Hard Rock Exploration Inc., for Forced Pooling of Interests in Unit Number HRVAE #14 VGOB Docket No. VGOB-05/12/13-1555 in the Rocklick Magisterial District of Buchanan County, Virginia.

AMENDED AFFIDAVIT OF WILHOIT & KAISER, Attorneys-at-Law, Agents for the Designated Operator REGARDING ELECTIONS, ESCROW ACCOUNTS AND AMENDED SUPPLEMENTAL ORDER

James E. Kaiser (herein Affiant), being first duly sworn on oath, deposes and says:

- 1. That the Affiant is an attorney in the law firm of WILHOIT & KAISER, the Agent for the Designated Operator, with offices located at 220 Broad Street, Kingsport, Tennessee 37660, and is authorized to give this Affidavit in its behalf;
- 2. That the Order entered on January 10, 2006 by the Virginia Gas and Oil Board regarding the captioned Conventional Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by said Order;
- 3. That within seven (7) days of the receipt of an executed copy of the Order referred to at Paragraph 2. above, the Affiant was directed to cause a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who are added as Respondents at the hearing held in the captioned matter;
- 4. That the Order of the Virginia Gas and Oil Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date said Order was recorded in the county above named; that said Order was recorded on January 12, 2006.
- 5. That the Designated Operator, by and through their agent, Wilhoit & Kaiser, Attorneys-at-Law, have established procedures to review all mail received and all written documents received by means other than by mail to ascertain whether parties whose interest have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the

elections, if any, made with regard to Subject Unit; that the following persons delivered, by mail or otherwise, written elections to the Unit Operator, within the thirty day election periods:

| Tract           | Lessor  | Elected            |
|-----------------|---|--------------------|
| *2              | Bull Creek Coal Company a<br>Virginia Limited Partnership<br>Box 187<br>Tazewell, VA 24651                    | Participation      |
| Leased Through: | Chesapeake Appalachi<br>900 Pennsylvania Aven<br>P.O. Box 6070<br>Charleston, WV 25362-<br>**Oil & Gas Lessee | ue                 |
| **3             | Carol Combs Irvin<br>4710 Hunterwood Circle<br>Richmond, TX 77469   | Participation      |
|                 | Frederick Harman Combs II<br>318 East Fincastle<br>Tazewell, VA 24651   | Participation      |
|                 | Martha Ellen Combs<br>P.O. Box 1404<br>Abingdon, VA 24212   | Participation      |
| Agent:          | John C. Irvin<br>4710 Hunterwood Circle<br>Richmond, TX 77469   | 9                  |
| 4               | Mary E. Conner<br>5015 Harmont NE<br>Canton, OH 44707   | Cash Consideration |
|                 | David E. Ward<br>841 Hollywood NE<br>Canton, OH 44707   | Cash Consideration |
|                 | Jeffery S. Ward<br>5522 Battlesburg St. SE<br>Waynesburg, OH 44688  | Cash Consideration |
|                 | Charliece S. Fierbaugh<br>7900 Johnson Drive<br>Box 447<br>Knoxville, TN 37998                                | Carried Interest   |
|                 | 1310ATIIC, 114 07000  |                    |

6. That the interest and/or claims of the following persons (who made timely elections, or who are deemed under the terms of the Board's Order to have leased, or who, subsequent to the pooling hearing held in the captioned matter, have leased or otherwise entered into an agreement with the Designated Operator) are subject to escrow under the Board's Order pooling the captioned Unit, as unknown or/unlocatable.

#### NONE

7. That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator with regard to their interest and/or claims.

#### NONE

8. That the following persons have not made a timely election and have failed to enter into an agreement with the Designated Operator and their respective interests shall be deemed to have leased pursuant to and in accordance with paragraph 10 of the Order.

|     | TRACT           | LESSOR   | CASH CONSIDERATION        |
|-----|-----------------|--|---------------------------|
|     | 2               | Karen Westbrook<br>2614 Laurel Grove Rd<br>Machanicsville, VA  | 3.2933 X \$5.00 = \$16.47 |
|     |                 | Mary E. Buston Booker<br>13660 Brynwood Lane S.E.<br>Ft. Myers, FL 33912                               | 0.8233 X \$5.00 = \$4.12  |
|     |                 | James G. Buston II<br>1511 Tudor Lane<br>Richmond, VA 23235  | 0.8233 X \$5.00 = \$4.12  |
|     | ***3            | Mountain Mission School<br>1 Hurley Street<br>Grundy, VA 24614   | 2.898 X \$5.00 = \$14.49  |
| *** | Leased Through: | CNX Gas Company LL0<br>Attn: Les Arrington<br>P.O. Box 947<br>Bluefield, VA 24605<br>*Oil & Gas Lessee | 0                         |
|     | 3               | Gaynell Street Fowler, Trustee<br>of Fletcher Boyd Fowler Trust<br>Drawer 901<br>Grundy, VA 24614      | 2.898 X \$5.00 = \$14.49  |

| TRACT | LESSOR   | CASH CONSIDERATION        |
|-------|--|---------------------------|
| 3     | Knox Creek Coal Company<br>P.O. Box 519<br>Raven, VA 24369                           | 11.592 X \$5.00 = \$57.96 |
| 4     | Jeanelle I. Spurlock<br>1140 Churchmont Se<br>Canton, OH 44707                       | 0.6326 X \$5.00 = \$3.16  |
|       | Betty J. Wade<br>16550 Buchard Street<br>Fountain Valley, CA 92708                   | 0.6326 X \$5.00 = \$3.16  |
|       | Donald H. Dotson<br>1140 Churchmont SE<br>Canton, OH 44707                           | 0.6326 X \$5.00 = \$3.16  |
|       | Judy Gayle Fletcher Murray<br>20129 N. Golden Barrel Dr.<br>Surprise, AZ 85734       | 0.6326 X \$5.00 = \$3.16  |
|       | Patricia S. Hogston<br>P.O. Box 427<br>Grundy, VA 24614                              | 1.4760 X \$5.00 = \$7.38  |
|       | Buchanan Gas Company LLC<br>c/o John Matney<br>2700 Lee Highway<br>Bristol, VA 24202 | 1.4760 X \$5.00 = \$7.38  |

That pursuant to the provision of 4VAC 25-160.70C annexed hereto and incorporated herein is a proposed supplemental order to be entered to complete the record regarding elections; that said annexed supplemental order sets forth that the services of the Escrow Agent are not required in this matter pursuant to the terms of §§ 45.1-361.21.D.

Dated at Kingsport, Tennessee, this

\_ day of

2006.

**Affiant** 

Taken, subscribed and sworn to before me by James E. Kaiser, the Agent of Hard Rock Exploration Inc., a corporation, on behalf of the corporation, this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_, 2006.

My commission expires: 11-12-08

Notary

### Exhibit B HRVAE #14

| Bull Creek Coal Company a<br>Virginia Limited Partnership<br>Box 187<br>Tazewell, VA 24651 5 |  |  |
|--|--|--|
|  |  |  |

Chesapeake Appalachia LLC 900 Pennsylvania Avenue P.O. Box 6070

| Tract    | Lessor   |   | Lease<br>Status | Interest<br>Within<br>Unit | Gross<br>Acreage<br>In Unit |
|----------|--|---|-----------------|----------------------------|-----------------------------|
| 1        | C.L. Ritter Lumber Co<br>Box 700<br>Huntington, WV 2571                          |   | Leased          | 64.41%                     | 72.58                       |
| 2        | Karen Westbrook<br>2614 Laurel Grove Rd<br>Machanicsville, VA                    |   | Unleased        | 3.2933%                    | 3.7155                      |
|          | Mary E. Buston Booke<br>13660 Brynwood Lane<br>Ft. Myers, FL 33912               |   | Unleased        | 0.8233%                    | 0.9288                      |
|          | James G. Buston II<br>1511 Tudor Lane<br>Richmond, VA 23235                      |   | Unleased        | 0.8233%                    | 0.9288                      |
|          | Bull Creek Coal Comp<br>Virginia Limited Partne<br>Box 187<br>Tazewell, VA 24651 |   | *Unleased       | 2.4699%                    | 2.786                       |
| * Leased | l Through:   | Chesapeake Ap 900 Pennsylva P.O. Box 6070 Charleston, W **Oil & Gas I | V 25362-0070    |                            |                             |
| 3        | Carol Combs Irvin<br>4710 Hunterwood Circ<br>Richmond, TX 77469                  |   | **Unleased      | 0.6439%                    | 0.7256                      |
|          | Frederick Harman Con<br>318 East Fincastle<br>Tazewell, VA 24651                 | nbs II  | **Unleased      | 0.6439%                    | 0.7256                      |

| Tract      | Lessor  |   | Lease<br>Status | Interest<br>Within<br>Unit | Gross<br>Acreage<br><u>In Unit</u> |  |
|------------|---|---|-----------------|----------------------------|------------------------------------|--|
| 3          | Martha Ellen Combs<br>P.O. Box 1404<br>Abingdon, VA 24212                         |   | **Unleased      | 0.6439%                    | 0.7256                             |  |
| ** Agent:  |   | John C. Irvin<br>4710 Hunterwood Circle<br>Richmond, TX 77469                 |                 |                            |                                    |  |
|            | Mountain Mission Sch<br>1 Hurley Street<br>Grundy, VA 24614                       | ool   | ***Unleased     | 2.898%                     | 3.2655                             |  |
|            | Gaynell Street Fowler,<br>of Fletcher Boyd Fowl<br>Drawer 901<br>Grundy, VA 24614 |   | Unleased        | 2.898%                     | 3.2655                             |  |
|            | Knox Creek Coal Com<br>P.O. Box 519<br>Raven, VA 24369                            | pany  | Unleased        | 11.592%                    | 13.062                             |  |
| *** Leased | l Through:  | CNX Gas Co. Attn: Les Arrir<br>P.O. Box 947<br>Bluefield, VA<br>*Oil & Gas Le | 24605           |                            |                                    |  |
| 4          | Jeanelle I. Spurlock<br>1140 Churchmont Se<br>Canton, OH 44707                    |   | Unleased        | 0.6326%                    | 0.7125                             |  |
|            | Betty J. Wade<br>16550 Buchard Street<br>Fountain Valley, CA 9                    | 92708   | Unleased        | 0.6326%                    | 0.7125                             |  |
|            | Donald H. Dotson<br>1140 Churchmont SE<br>Canton, OH 44707                        |   | Unleased        | 0.6326%                    | 0.7125                             |  |
|            | Mary E. Conner<br>5015 Harmont NE<br>Canton, OH 44707                             |   | Unleased        | 0.6326%                    | 0.7125                             |  |

| Tract  | Lessor   | Lease<br>Status | Interest<br>Within<br>Unit | Gross<br>Acreage<br><u>In Unit</u> |
|--|--|-----------------|----------------------------|------------------------------------|
|  | David E. Ward<br>841 Hollywood NE<br>Canton, OH 44707                                | Unleased        | 0.6326%                    | 0.7125                             |
| 4  | Jeffery S. Ward<br>5522 Battlesburg St. SE<br>Waynesburg, OH 44688                   | Unleased        | 0.6326%                    | 0.7125                             |
|  | Judy Gayle Fletcher Murray<br>20129 N. Golden Barrel Dr.<br>Surprise, AZ 85734       | Unleased        | 0.6326%                    | 0.7125                             |
|  | Patricia S. Hogston<br>P.O. Box 427<br>Grundy, VA 24614                              | Unleased        | 1.4760%                    | 1.662                              |
|  | Charliece S. Fierbaugh<br>7900 Johnson Drive<br>Box 447<br>Knoxville, TN 37998       | Unleased        | 1.4760%                    | 1.662                              |
|  | Buchanan Gas Company LLC<br>c/o John Matney<br>2700 Lee Highway<br>Bristol, VA 24202 | Unleased        | 1.4760%                    | 1.662                              |
| TOTAL GAS ESTATE   |  |                 | 100%                       | 112.69                             |
| Percentage of Unit Leased<br>Percentage of Unit Unleased |  |                 | 64.41%<br>35.59%           |                                    |
| Acreage in Unit Leased Acreage in Unit Unleased          |  |                 | 72.58<br>40.11             |                                    |